

No.

8400020



THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

Saatzucht Steinach

Whereas, THERE HAS BEEN PRESENTED TO THE
Secretary of Agriculture

AN APPLICATION REQUESTING A CERTIFICATE OF PROTECTION FOR AN ALLEGED NOVEL VARIETY OF SEXUALLY REPRODUCED PLANT, THE NAME AND DESCRIPTION OF WHICH ARE CONTAINED IN THE APPLICATION AND EXHIBITS, A COPY OF WHICH IS HEREUNTO ANNEXED AND MADE A PART HEREOF, AND THE VARIOUS REQUIREMENTS OF LAW IN SUCH CASES MADE AND PROVIDED HAVE BEEN COMPLIED WITH, AND THE TITLE THERETO IS, FROM THE RECORDS OF THE PLANT VARIETY PROTECTION OFFICE, IN THE APPLICANT(S) INDICATED IN THE SAID COPY, AND WHEREAS, UPON DUE EXAMINATION MADE, THE SAID APPLICANT(S) IS (ARE) ADJUDGED TO BE ENTITLED TO A CERTIFICATE OF PLANT VARIETY PROTECTION UNDER THE LAW.

NOW, THEREFORE, THIS CERTIFICATE OF PLANT VARIETY PROTECTION IS TO GRANT UNTO THE SAID APPLICANT(S) AND THE SUCCESSORS, HEIRS OR ASSIGNS OF THE SAID APPLICANT(S) FOR THE TERM OF *eighteen* YEARS FROM THE DATE OF THIS GRANT, SUBJECT TO THE PAYMENT OF THE REQUIRED FEES AND PERIODIC REPLENISHMENT OF VIABLE BASIC SEED OF THE VARIETY IN A PUBLIC REPOSITORY AS PROVIDED BY LAW, THE RIGHT TO EXCLUDE OTHERS FROM SELLING THE VARIETY, OR OFFERING IT FOR SALE, OR REPRODUCING IT, IMPORTING IT, OR EXPORTING IT, OR USING IT IN PRODUCING A HYBRID OR DIFFERENT VARIETY THEREFROM, TO THE EXTENT PROVIDED BY THE PLANT VARIETY PROTECTION ACT (84 Stat. 1542, AS AMENDED, 7 U.S.C. 2321 ET SEQ.)

CHEWINGS FESCUE

'Milan'



Attest

Kenneth H. Wright
Commissioner
Plant Variety Protection Office
Agricultural Marketing Service

In Testimony Whereof, I have hereunto set
my hand and caused the seal of the Plant
Variety Protection Office to be affixed
at the City of Washington
this 30th day of November in
the year of our Lord one thousand nine
hundred and eighty-four.

John A. Block
Secretary of Agriculture



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U.S. DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE
LIVESTOCK, MEAT, GRAIN & SEED DIVISION

FORM APPROVED: OMB NO. 0581-0005

APPLICATION FOR PLANT VARIETY PROTECTION CERTIFICATE

(Instructions on reverse)

No certificate for plant variety protection may be issued unless a completed application form has been received (5 U.S.C. 553).

1. NAME OF APPLICANT(S) SAATZUCHT STEINACH		2. TEMPORARY DESIGNATION St MbN		3. VARIETY NAME M I L A N	
4. ADDRESS (Street and No. or R.F.D. No., City, State, and Zip Code) SAATZUCHT STEINACH Dr.M.von Schmieder Nachf. 8441 Steinach / üb. Straubing		5. PHONE (Include area code)		FOR OFFICIAL USE ONLY PVPO NUMBER 8400020 8300076 PKW	
6. GENUS AND SPECIES NAME Festuca rubra commentata		7. FAMILY NAME (Botanical) Gramineae		FILING DATE 3/11/83 11/14/83 TIME 2:30 8:30 <input checked="" type="checkbox"/> A.M. <input type="checkbox"/> P.M.	
8. KIND NAME CHEWINGS 7ESCUE		9. DATE OF DETERMINATION 1973		FEES RECEIVED AMOUNT FOR FILING \$ 1,000 DATE 3/11/83 11/14/83 AMOUNT FOR CERTIFICATE \$ 500.00 DATE 11/9/84	
10. IF THE APPLICANT NAMED IS NOT A "PERSON," GIVE FORM OF ORGANIZATION (Corporation, partnership, association, etc.) Corporation					
11. IF INCORPORATED, GIVE STATE OF INCORPORATION West Germany				12. DATE OF INCORPORATION	
13. NAME AND ADDRESS OF APPLICANT REPRESENTATIVE(S), IF ANY, TO SERVE IN THIS APPLICATION AND RECEIVE ALL PAPERS O. M. Scott & Sons Company c/o John Long Marysville, OH 43041 513-644-0011					

14. CHECK APPROPRIATE BOX FOR EACH ATTACHMENT SUBMITTED

a. <input checked="" type="checkbox"/> Exhibit A, Origin and Breeding History of the Variety (See Section 52 of the Plant Variety Protection Act.)	c. <input checked="" type="checkbox"/> Exhibit C, Objective Description of the Variety (Request form from Plant Variety Protection Office.)
b. <input checked="" type="checkbox"/> Exhibit B, Novelty Statement	d. <input type="checkbox"/> Exhibit D, Additional Description of the Variety

15. DOES THE APPLICANT(S) SPECIFY THAT SEED OF THIS VARIETY BE SOLD BY VARIETY NAME ONLY AS A CLASS OF CERTIFIED SEED? (See Section 83(a) of the Plant Variety Protection Act.) ☐ Yes (If "Yes," answer items 16 and 17 below) ☒ No

16. DOES THE APPLICANT(S) SPECIFY THAT THIS VARIETY BE LIMITED AS TO NUMBER OF GENERATIONS? ☐ Yes ☐ No

17. IF "YES" TO ITEM 16, WHICH CLASSES OF PRODUCTION BEYOND BREEDER SEED? ☐ Foundation ☐ Registered ☐ Certified

18. DID THE APPLICANT(S) FILE FOR PROTECTION OF THE VARIETY IN THE U.S. OR OTHER COUNTRIES?
Federal Republic of Germany
November 30, 1977 ☒ Yes (If "Yes," give names of countries and dates) ☐ No

19. HAVE RIGHTS BEEN GRANTED IN THE U.S. OR OTHER COUNTRIES?
Federal Republic of Germany
Februar 22, 1982 ☒ Yes (If "Yes," give names of countries and dates) ☐ No

20. The applicant(s) declare(s) that a viable sample of basic seeds of this variety will be furnished with the application and will be replenished upon request in accordance with such regulations as may be applicable.
The undersigned applicant(s) is (are) the owner(s) of this sexually reproduced novel plant variety, and believe(s) that the variety is distinct, uniform, and stable as required in Section 41, and is entitled to protection under the provisions of Section 42 of the Plant Variety Protection Act.
Applicant(s) is (are) informed that false representation herein can jeopardize protection and result in penalties.

SIGNATURE OF APPLICANT Saatzucht Steinach Dr. M. von Schmieder Nachf.	DATE 1 / 26 / 1983
SIGNATURE OF APPLICANT	DATE 1

INSTRUCTIONS

General: Send an original copy of the application and exhibits, at least 2,500 viable seeds, and \$500 fee (\$250 filing fee and \$250 examination fee) to U.S. Department of Agriculture, Agricultural Marketing Service, Livestock, Meat, Grain and Seed Division, Plant Variety Protection Office, National Agricultural Library Building, Beltsville, Maryland 20705. (See section 180.175 of the Regulations and Rules of Practice.) Retain one copy for your files. All items on the face of the form are self-explanatory unless noted below.

Item

- 9 Give the date the applicant determined that he had a new variety based on (1) the definition in section 41(a) of the Act and (2) the date a decision was made to increase the seed.
- 14a Give: (1) the genealogy, including public and commercial varieties, lines, or clones used, and the breeding method; (2) the details of subsequent stages of selection and multiplication; (3) the type and frequency of variants during reproduction and multiplication and state how these variants may be identified and (4) evidence of uniformity and stability.
- 14b Give a summary statement of the variety's novelty. Clearly state how this novel variety may be distinguished from all other varieties in the same crop. If the new variety most closely resembles one or a group of related varieties: (1) identify these varieties and state all differences objectively; (2) attach statistical data for characters expressed numerically and demonstrate that these differences are significant; and (3) submit, if helpful, seed and plant specimens or photographs of seed and plant comparisons clearly indicating novelty.
- 14c Fill in the Exhibit C, Objective Description form, for all characteristics for which you have adequate data.
- 14d Describe any additional characteristics that are not described, or whose description cannot be accurately conveyed in Exhibit C. Use comparative varieties as is necessary to reveal more accurately the description of characteristics that are difficult to describe, such as plant habit, plant color, disease resistance, etc.
- 15 If "Yes" is specified (*seed of this variety be sold by variety name only as a class of certified seed*) the applicant may **NOT** reverse his affirmative decision after the variety has either been sold and so labeled, his decision published, or the certificate has been issued. However, if the applicant specified "No," he may change his choice. (See section 180.16 of the Regulations and Rules of Practice.)
- 16 See section 42 of the Plant Variety Protection Act and section 180.7 of the Regulations and Rules of Practice.



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Exhibit A - MILANOrigin and Breeding History of the Variety1. Genealogy:

Ecotype was discovered in Bavaria in 1970; three generations were planted with subsequent selections.

2. Subsequent stages of Selection and Multiplication

Clones used for multiplication purposes = 21.

3. Type and Frequency of Variants

Very few variants with only slight differences were identified. These variants may slightly increase during the third generation. Variants are identified in plant height, plant habit, beginning of flowering, and anthozian coloring.

4. Evidence of Uniformity and Stability

Verified February 22, 1982 with issuance of the Plant Variety Protection Certificate by the BSA.

Exhibit B

The novelty of MILAN is identified in the "Objective Description of Variety" application form.

The variety matures relatively late, is low growing, with only slight anthozian coloring of the sheath.

The BSA also verified that MILAN distinguishes itself from the variety "Falter" in shorter plant growth at maturity and darker color during the fall in the year of planting.

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Exhibit A - Addendum

1. Genealogy

An ecotype discovered in Bavaria in 1970.

2. Subsequent Stages of Selection and Multiplication

Three generations of interpollination of selected plants within the population occurred. Within each generation, selection was made for desired plant types. At the end of the third generation, 21 clones were selected as the basis for 'Milan', and these were allowed to interpollinate to form the breeder's seed generation.

3. Type and Frequency of Variants

Approximately 1 to 2% of the progeny were variant showing slight differences from 'Milan' in plant height, plant habit, time of inflorescence, and anthocyanin pigmentation in the leaves. In the third generation, the variants increased 2 to 3% of the population.

4. Evidence of Uniformity and Stability

The very low level of variants in 'Milan' indicates it is uniform, and the very small increase in variants from the first to third generation indicates it is a very stable variety.

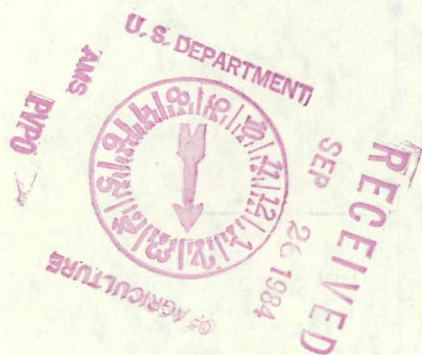


Exhibit B - Addendum

'Falter' is the variety most similar to 'Milan' with 'Milan' being approximately 7 cm shorter in mature plant height and darker green in mowed turf and at the inflorescence stage than 'Falter.'

	<u>Falter</u>	<u>Milan</u>	<u>LSD (1%)</u>
	plant height (cm) at maturity		
1981	49	38	8
1980	44	36	6
1979	63	60	7
Mean	<u>52.0</u>	<u>44.7</u>	
	color* in mowed turf		
1981	3.80	5.03	1.0
1980	4.87	6.36	1.0
1979	4.30	5.95	1.0
Mean	<u>4.32</u>	<u>5.78</u>	
	color* of mature plant at inflorescence		
1981	3	5	2
1980	3	8	2
1979	4	4	2
Mean	<u>3.3</u>	<u>5.7</u>	

*color rated 1-9: 9 = dark green

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U.S. DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE
LIVESTOCK, MEAT, GRAIN & SEED DIVISION
PLANT VARIETY PROTECTION OFFICE
BELTSVILLE, MARYLAND 20705

EXHIBIT C
(Fine Leaved Fescues)

OBJECTIVE DESCRIPTION OF VARIETY
FINE LEAVED FESCUES
(*Festuca spp.*)

NAME OF APPLICANT(S) Saatzucht S T E I N A C H	TEMPORARY DESIGNATION	VARIETY NAME M I L A N
ADDRESS (Street and No., or R.F.D. No., City, State, and Zip Code) Saatzucht S T E I N A C H Dr.M.von Schmieder Nachf., 8441 Steinach/üb.Straubing		FOR OFFICIAL USE ONLY PVPO NUMBER 8300076 8400020

Place the appropriate number that describes the varietal character of this variety in the boxes below. Use leading zeroes when necessary (e.g., or). Characteristics described including numerical measurements, should represent those that are typical for the variety. Measured data should be for SPACED PLANTS. Royal Horticultural Society or any recognized color fan may be used to determine plant colors; designate system used: _____
Describe location of test area, conditions and number of plants used: _____

1. SPECIES: (With comparison varieties for use below - use varieties within species of application variety)

<input type="text" value="1"/>	1 = <i>F. rubra ssp. commutata</i> (Chewings)	11 = Cascade	12 = Highlight	13 = Jamestown
	2 = <i>F. rubra ssp. litoralis</i> (Creeping Red)	14 = Banner	15 = Barfalla	23 = Merlin
	3 = <i>F. rubra ssp. rubra</i> (Spreading Red)	21 = Dawson	22 = Starlight	33 = Fortress
	4 = <i>F. ovina</i> (Sheep)	24 = Pennlawn	32 = Ruby	
	5 = <i>F. longifolia</i> (Hard)	31 = Boreal	34 = Ensylva	
	6 = <i>F. tenuifolia</i> (Fine-Leaved Sheep)	41 = Covar		
	7 = Other (Specify) <i>F.</i> _____	51 = Durar	52 = Biljart (C-26)	53 = Scaldis
		61 = Panda	62 = Barok	

2. CYTOLOGY:

<input type="text" value="4"/> <input type="text" value="2"/>	Chromosome Number	<input type="text" value="3"/>	Ploidy	1 = diploid	2 = tetraploid	3 = hexaploid
				4 = octoploid		

3. ADAPTATION: (0 = Not Tested; 1 = Not Adapted; 2 = Adapted)

<input type="text" value="2"/>	Northeast	<input type="text" value="0"/>	Southeast	<input type="text" value="2"/>	North Central	<input type="text" value="2"/>	Pacific N.W.	<input type="text" value="2"/>	Other (Specify) <u>West Germany</u>
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4. MATURITY: Date First Headed (panicle emergence) Location(s) of Trial(s) Scharnhorst - West Germany

<input type="text" value="6"/>	Maturity Class:		
	1 = Very Early (Covar)	2 = Early (Highlight)	3 = Medium Early (Boreal, Dawson)
	4 = Medium Late (Cascade, Ruby)	5 = Late (Jamestown, Agram)	6 = Very Late
	Date Headed _____		
<input type="text" value="5"/>	Days earlier than _____	<input type="text" value="1"/> <input type="text" value="3"/>	Comparison Variety
	Maturity same as _____	<input type="text" value="1"/> <input type="text" value="3"/>	
	Days later than _____	<input type="text" value="1"/> <input type="text" value="3"/>	

5. PLANT HEIGHT: (At maturity; to top of panicle; Average of 10 tallest culms)

<input type="text" value="6"/> <input type="text" value="7"/> <input type="text" value="0"/>	mm height		
<input type="text" value="7"/> <input type="text" value="0"/>	mm shorter than _____	<input type="text" value="1"/> <input type="text" value="3"/>	Comparison Variety
	Height same as _____	<input type="text" value="1"/> <input type="text" value="3"/>	
<input type="text" value="4"/> <input type="text" value="0"/>	mm taller than _____	<input type="text" value="1"/> <input type="text" value="2"/>	

6. GROWTH HABIT: (Mature)

<input type="text" value="2"/>	1 = Erect (Ruby)	2 = Semi-erect (Highlight)	3 = Prostrate (Silvana)
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7. RHIZOMES:

<input type="text" value="1"/> <input type="text" value="1"/> <input type="text" value="1"/>	mm Length	<input type="text" value="1"/> <input type="text" value="1"/> <input type="text" value="1"/>	mm Width	<input type="text" value="1"/> <input type="text" value="1"/> <input type="text" value="1"/>	mm Internode length
<input type="text" value="1"/>	1 = Absent (Highlight)	2 = Weakly Creeping (Dawson)	3 = Strongly Creeping (Boreal)		
	4 = Very Strongly Creeping (Fortress)				

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15. GIVE VARIETY OR VARIETIES THAT MOST CLOSELY RESEMBLE THE APPLICATION VARIETY. For the following characteristics indicate Degree of Resemblance by placing the column marked, D.R., one of the following numbers:

1 = Application variety is less than comparison variety.

2 = Same As

3 = More than, better, greater, darker, more disease resistant, etc.

CHARACTER	VARIETY	D.R.	CHARACTER	VARIETY	D.R.
Rhizome Length	Highlight	2	Growth Habit	Highlight	2
Leaf Width	"	3	Leaf Color	"	1
Panicle Color			Panicle Shape		
Winter Color			Cold Injury		
Shade Tolerance			Heat		
Drought	Highlight	3	Disease*		

* Specify each disease evaluated.

16. ADDITIONAL DESCRIPTION: (Use additional sheets as required)

Describe all characteristics that cannot be adequately described in the form above in Exhibit D. Comparative varieties should be used as may be appropriate, such as for disease. Append all comparative trial and evaluation data, including measured characters, environmental, and disease tests.

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8441 Steinach, den 22. Juli 1982

Saatzucht Steinach
Dr. M. von Schmieder Nachf.
8441 Steinach/üb. Straubing

Ewald Grundler